

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: KOPCHICK5A

In re Application of:)	Conf. No.:
John J. KOPCHICK et al.)	
)	
IA No: PCT/US2003/024053)	Art Unit:
)	
IA Filed: August 4, 2003)	Examiner:
)	
Appln. No.:)	Washington, D.C.
Not yet assigned)	
)	February 10, 2005
For: DIAGNOSIS OF KIDNEY)	
DAMAGE AND PROTECTION AGAINST...)	

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Amendment
401 Dulany Street
Alexandria, VA 22314

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

[X] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

[] B. before the mailing date of a first office action on the merits or before the mailing of a first Office

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action after the filing of a Request for Continued Examination under 37 CFR \$1.114; or

[X] 2. In accordance with 37 CFR \$1.98, this IDS includes a list (e.g., form BN/SB/08A/B) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. Other than U.S. patent(s) and/or published U.S. application(s), which 37 CFR \$1.98(a)(2)(ii) does not require to be filed unless specifically required by the Office, a copy of each document listed is attached, except as explained below:

[] A. Document(s) _____ is/are deemed substantially cumulative to document(s) _____, and, in accordance with 37 CFR \$1.98(c), a copy of each of the former document(s) is not enclosed.

[] B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

(insert serial numbers and filing dates of prior applications)

Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449, PTO/SB/08a and/or PTO/SB/08b (or their BN form equivalents) from the files of the prior application(s) or a fresh BN/SB/08A and/or BN/SB/08B listing these documents, and request that they be considered and made of record in accordance with 37 CFR \$1.98(d). Per 37 CFR \$1.98(d), copies of these documents need not be filed in this application.

[] 3. Document(s) _____ is/are not in the English language. In accordance with 37 CFR \$1.98(a)(3), Applicant states:

[] An English translation of each document _____ (or of the pertinent portions thereof), or a copy of an English-language abstract (or claim) is enclosed.

- ☐ For documents _____, a corresponding English-language patent or published application is included on the accompanying Form BN/SB/08A, with a line drawn in the margin connecting the non-English-language document with its corresponding English-language document.
- ☐ A concise explanation of the relevance of document(s) _____ is found in the attached _____ search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).
- ☐ A concise explanation of the relevance of document(s) _____ is set forth as follows:
- ☐ A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.
- ☐ A concise explanation of the relevance of document(s) _____ can be found on the attached sheet.

☒ 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

☒ 5. Other information being provided for the examiner's consideration follows:

International Search Report

6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the

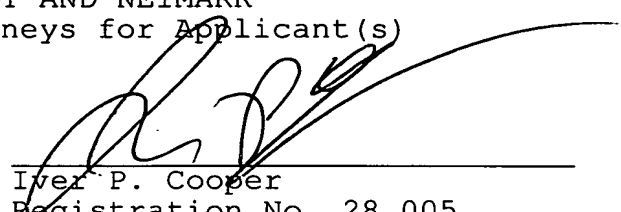
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face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

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Substitute for form 1449A/PTO <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(use as many sheets as necessary)</p>				Complete if Known	
Application Number		US Not yet assigned, 371 of PCT/US2003/024053			
International Filing Date		August 4, 2003			
First Named Inventor		John J. KOPCHICK			
Group Art Unit					
Examiner Name					
Attorney Docket Number		KOPCHICK5A			
Sheet	1	of	2		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US- 2003/0220249 A1	11-27-2003	Hackett et al.	
	AB	US- 5,734,016 A	03-31-1998	Levens et al.	
	AC	US- 5,580,760 A	12-03-1996	Levens et al.	
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FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number* Kind Code ⁵ (if known)				

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Complete if Known

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Application Number	US Not yet assigned, 371 of PCT/US2003/024053
International Filing Date	August 4, 2003
First Named Inventor	John J. KOPCHICK
Group Art Unit	
Examiner Name	
Attorney Docket Number	KOPCHICK5A

Sheet	2	of	2
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[illegible]Date
Considered

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.